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16 *Tim Pool, The Babylon Bee LLC,*

17 *National Religious Broadcasters*

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25 *Attorney for Plaintiff National Religious Broadcasters*

26 **UNITED STATES DISTRICT COURT**

27 **CENTRAL DISTRICT OF CALIFORNIA**

28 **WESTERN DIVISION**

19 **MINDS, INC., TIM POOL, THE**

20 **BABYLON BEE LLC, and**

21 **NATIONAL RELIGIOUS**

22 **BROADCASTERS,**

23 **Plaintiffs,**

24 **v.**

25 **ROBERT A. BONTA, Attorney**

26 **General of California, in his official**

27 **capacity,**

28 **Defendant.**

Case No.: 2:23-cv-02705-HDV-MAA

**JOINT CASE MANAGEMENT
STATEMENT**

1 The parties submit this Joint Case Management Statement per this Court's
2 Reassignment Order (June 23, 2023).

3 **A. Date case was filed**

4 The initial complaint was filed April 11, 2023

5 **B. The parties**

6 The plaintiffs are:

- 7 • Minds, Inc.,
- 8 • Tim Pool,
- 9 • The Babylon Bee LLC, and
- 10 • National Religious Broadcasters

11 The defendant is Robert A. Bonta, Attorney General of California, in his official
12 capacity.

13 **C. Summary of the case**

14 This case is a challenge to a newly enacted California statute, AB 587, codified as
15 Business & Professions Code §§ 22675 – 22681. The statute imposes certain
16 requirements on companies with annual revenues of \$100 million or greater that own or
17 operate social media platforms. Plaintiffs allege that AB 587 will result in the chilling or
18 censoring of their speech in violation of the First Amendment.

19 The Amended Complaint has three counts: (1) Violation of the First Amendment:
20 Facial and As-Applied Challenge to AB 587; (2) Violation of the First Amendment:
21 Overbreadth Challenge to AB 587; and (3) Violation of the Fourteenth Amendment:
22 Vagueness Challenge to AB 587. Plaintiffs seek declaratory and injunctive relief.

23 Defendant contends that AB 587 merely requires social media companies to make
24 certain disclosures and that the statute will not infringe plaintiffs' First Amendment
25 rights, and is neither overbroad nor vague.

26 **D. Events underlying the action**

27 AB 587 was read for the first time in the California Assembly on February 11,
28 2021. The bill was enrolled and presented to the governor on September 2, 2022. It was

1 signed by California Governor Gavin Newsom and chaptered by the Secretary of State on
2 September 13, 2022.

3 AB 587 became effective January 1, 2023. Pursuant to AB 587, companies subject
4 to the statute must submit the first semi-annual report to the California Attorney General
5 by January 1, 2024, which reports must cover activity during the third quarter of 2023.

6 **E. Status of discovery**

7 No discovery has taken place. Prior to the Reassignment Order, given the nature
8 of the complaint and defendant's pending motion to dismiss, the parties had agreed that
9 disclosures under Rule 26(a) will be made fourteen days after the Court's ruling on the
10 motion to dismiss.

11 **F. Procedural history**

12 Plaintiffs filed an amended complaint on May 15, 2023.

13 Defendant filed a motion to dismiss on May 25, 2023. The motion is fully briefed,
14 but the case was reassigned before oral argument.

15 No other motions have been submitted or decided. No ADR proceedings have
16 taken place.

17 **G. Other deadlines**

18 The case was reassigned prior to the Rule 16(b) scheduling conference. There are
19 no deadlines set in the case.

20 **H. Magistrate judge**

21 The parties do not consent to a magistrate judge for trial.

22 **I. Need for case management conference**

23 The parties do not request an immediate case management conference.
24
25
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27
28

1 Dated: July 7, 2023

ENVISAGE LAW
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2
3 By: /s/ James R. Lawrence
4 James R. Lawrence, III

5 Attorneys for Plaintiffs Minds, Inc.,
6 Tim Pool, The Babylon Bee LLC, and
7 National Religious Broadcasters

8
9 Dated: July 7, 2023

ROB BONTA
Attorney General of California
PAUL STEIN
Supervising Deputy Attorney General

10
11 By: /s/ Sharon L O'Grady
12 SHARON L. O'GRADY
13 Deputy Attorney General

14 Attorneys for Defendant Rob Bonta,
15 in his official capacity as Attorney
16 General of California

17
18 **Attestation**

19 I attest that all signatories listed above, and on whose behalf the filing is submitted,
20 concur in the filing's content and have authorized the filing.

21
22 /s/ Sean P. Gates
23 Sean P. Gates